| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/057,799 | 10/26/2001 | William G. Higinbotham | RFL-1201 | 9383 |

7590     08/10/2005

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| EXAMINER |
|---|
| FOX, JAMAL A |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2664 | |

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>26 October 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 May 2002* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All  b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

## DETAILED ACTION

### *Drawings*

1.    New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawing contain text that is illegible. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

### *Specification*

2.    Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3.    The abstract of the disclosure is objected to because it is not within the range of 50-150 words. Correction is required. See MPEP § 608.01(b).

### Claim Rejections - 35 USC § 102

4.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis'for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.      Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Hall et

al. (U.S. Patent No. 5,661,778).

Referring to claim 1, Hall et al. discloses for use with a system for producing, at a

transmitter location (Fig. 2 ref. sign 31 and respective portions of the spec.), time

division multiplexed (time division multiplexed, col. 2 lines 40-45) frames comprising a

plurality of channels (multi-channel, col. 7 lines 25-30) of information signals (signals,

col. 7 lines 50-55) and framing signals (framing bit, col. 7 lines 30-35), communicating

said frames from the transmitter location (Fig. 2 ref. sign 31 and respective portions of

the spec.) to a receiver location (Fig. 2 ref. sign 33 and respective portions of the spec.),

and, at the receiver location, deframing (framing/deframing unit 90, col. 9 lines 25-35

and col. 10 lines 20-38) the received frames to obtain frame timing (timing, col. 7 line

64-col. 8 line 5) signals and a bitstream (bit stream, col. 3 lines 50-55 and col. 20 lines

44-50) of information signals which are coupled (couples, col. 20 lines 44-50) with a

plurality of operating units (Fig. 15 ref. signs 1560 and 1551 and respective portions of

the spec.), a method comprising the steps of:

at the said transmitter location (Fig. 2 ref. sign 31 and respective portions of the

spec.), inserting (inserting, col. 10 lines 35-38 and insertion, col. 7 lines 40-45) a

preselected pattern of bits in a timeslot of said information signals;

at said receiver location (Fig. 2 ref. sign 33 and respective portions of the spec.),

detecting (frame detector, col. 10 lines 12-20), in the deframed (framing/deframing unit

90, col. 9 lines 25-35 and col. 10 lines 20-38) bit stream, the absence of the preselected

pattern of bits, and producing a control signal in response thereto; and

producing override (overwrite, col. 10 lines 24-29) information signals that are

coupled to said operating units when said control signal is present.

Referring to claim 2, Hall et al. discloses the method as defined by claim 1,

further comprising the step of producing, at said receiver location, auxiliary (auxiliary,

col. 2 lines 13-25 and col. 11 lines 1-5) frame timing signals for use when said control

signal is absent.

Referring to claim 3, Hall et al. discloses the method as defined by claim 2,

wherein said auxiliary frame timing signals are derived from the timing of the

preselected (defined, col. 2 lines 20-25) pattern.

Referring to claim 4, Hall et al. discloses the method as defined by claim 1,

wherein said step of inserting said preselected pattern of bits in a timeslot of said

information signals comprises inserting (insertion, col. 7 lines 39-50) said preselected

pattern of bits in the last timeslot (timeslot, col. 7 lines 39-50) of said information

channels.

Referring to claim 5, Hall et al. discloses the method as defined by claim 2, wherein said step of inserting said preselected pattern of bits in a timeslot of said information signals comprises inserting (insertion, col. 7 lines 39-50) said preselected pattern of bits in the last timeslot (timeslot, col. 7 lines 39-50) of the said information channels.

Referring to claim 6, Hall et al. discloses the method as defined by claim 1, wherein said step of detecting, in the deframed bits stream, the absence (absence, col. 20 lines 1-10 and lines 50-60) of the preselected pattern of bits, and producing a control signal (control signal, col. 20 lines 1-10 and lines 50-60) in response thereto, includes detecting the absence (absence, col. 20 lines 1-10 and lines 50-60) of.two successive (successively, col. 9 lines 55-60; successive, col. 13 lines 35-45, col. 14 lines 1-8, col. 15 lines 5-10, col. 16 lines 10-15, col. 17 lines 25-30, col. 18 lines 35-40 and col. 18 lines 50-55) occurrences of the preselected pattern of bits, and producing said control signal (control'signal, col. 20 lines 1-10 and lines 50-60) in response thereto.

Referring to claim 7, Hall et al. discloses the method as defined by claim 2, wherein said step of detecting, in the deframed bit stream, the absence (absence, col. 20 lines 1-10 and lines 50-60) of the preselected pattern of bits, and producing a control signal (control'signal, col. 20 lines 1-10 and lines 50-60) in response thereto, includes detecting the absence (absence, col. 20 lines 1-10 and lines 50-60) of two successive (successively, col. 9 lines 55-60; successive, col. 13 lines 35-45, col. 14 lines 1-8, col. 15 lines 5-10, col. 16 lines 10-15, col. 17 lines 25-30, col. 18 lines 35-40 and col. 18

lines 50-55) occurrences of the preselected pattern of bits, and producing said control

signal (control signal, col. 20 lines 1-10 and lines 50-60) in response thereto.

Referring to claim 8, Hall et al. discloses the method as defined by claim 1,

wherein said time division multiplexed frames are T1 (T1, col. 6 lines 29-35) frames.

Referring to claim 9, Hall et al. discloses the method as defined by claim 2,

wherein said time division multiplexed frames are T1 (T1, col. 6 lines 29-35) frames.

Referring to claim 10, Hall et al. discloses the method as defined by claim 3,

wherein said time division multiplexed frame are T1 (T1, col. 6 lines 29-35) frames.

Referring to claim 11, Hall et al. discloses for use in conjunction with a system for

producing, at a transmitter (Fig. 2 ref. sign 31 and respective portions of the spec.)

location, time division multiplexed (time division multiplexed, col. 2 lines 40-45) frames

comprising a plurality of channels (multi-channel, col. 7 lines 25-30) of information

signals (signals, col. 7 lines 50-55) and framing signals (framing bit, col. 7 lines 30-35),

communicating said frames from the transmitter location (Fig. 2 ref. sign 31 and

respective portions of the spec.) to a receiver location (Fig. 2 ref. sign 33 and respective

portions of the spec.), and, at the receiver location, deframing (framing/deframing unit

90, col. 9 lines 25-35 and col. 10 lines 20-38) the received frames to obtain frame timing

(timing, col. 7 line 64-col. 8 line 5) signals and a bitstream (bit stream, col. 3 lines 50-55

and col. 20 lines 44-50) of information signals which are coupled (couples, col. 20 lines

44-50) with a plurality of operating units (Fig. 15 ref. signs 1560 and 1551 and

respective portions of the spec.), an apparatus, comprising: at said transmitter location

(Fig. 2 ref. sign 31 and respective portions of the spec.), means for inserting (inserting,

col. 10 lines 35-38 and insertion, col. 7 lines 40-45) a preselected pattern of bits in a timeslot of said information signals;

at said receiver location (Fig. 2 ref. sign 33 and respective portions of the spec.), means for detecting (frame detector, col. 10 lines 12-20), in the deframed (framing/deframing unit 90, col. 9 lines 25-35 and col. 10 lines 20-38) bit stream, the absence of the preselected pattern of bits, and for producing a control signal in response thereto; and

means for producing override (overwrite, col. 10 lines 24-29) information signals that are coupled to said operating units when said control signal is present.

Referring to claim 12, Hall et al. discloses the apparatus as defined by claim 11, further comprising means for producing as said receiver location, auxiliary (auxiliary, col. 2 lines 13-25 and col. 11 lines 1-5) frame timing signals for use when said control signal is absent.

Referring to claim 13, Hall et al. discloses the apparatus as defined by claim 12, wherein said auxiliary frame timing signals are derived from the timing of the preselected (defined, col. 2 lines 20-25) pattern.

Referring to claim 14, Hall et al. discloses the apparatus as defined by claim 11, wherein said means for inserting said preselected pattern of bits in a timeslot of said information signals comprises means for inserting (insertion, col. 7 lines 39-50) said preselected pattern of bits in the last timeslot (timeslot, col. 7 lines 39-50) of said information channels.

Referring to claim 15, Hall et al. discloses the apparatus as defined by claim 12, wherein said means for inserting said preselected pattern of bits in a timeslot of said information signals comprises means for inserting (insertion, col. 7 lines 39-50) said preselected pattern of bits in the last timeslot (timeslot, col. 7 lines 39-50).

Referring to claim 16, Hall et al. discloses the apparatus as defined by claim 11, wherein said means for detecting, in the deframed bit stream, the absence (absence, col. 20 lines 1-10 and lines 50-60) of the preselected pattern of bits, and for producing a control signal (control signal, col. 20 lines 1-10 and lines 50-60) in response thereto, includes means for detecting the absence (absence, col. 20 lines 1-10 and lines 50-60) of two successive (successively, col. 9 lines 55-60; successive, col. 13 lines 35-45, col. 14 lines 1-8, col. 15 lines 5-10, col. 16 lines 10-15, col. 17 lines 25-30, col. 18 lines 35-40 and col. 18 lines 50-55) occurrences of the preselected pattern of bits, and for producing said control signal (control signal, col. 20 lines 1-10 and lines 50-60) in response thereto.

Referring to claim 17, Hall et al. discloses the apparatus as defined by claim 12, wherein said means for detecting, in the deframed bit stream, the absence (absence, col. 20 lines 1-10 and lines 50-60) of the preselected pattern of bits, and for producing a control signal (control signal, col. 20 lines 1-10 and lines 50-60) in response thereto, includes means for detecting the absence (absence, col. 20 lines 1-10 and lines 50-60) of two successive (successively, col. 9 lines 55-60; successive, col. 13 lines 35-45, col. 14 lines 1-8, col. 15 lines 5-10, col. 16 lines 10-15, col. 17 lines 25-30, col. 18 lines 35-40 and col. 18 lines 50-55) occurrences of the preselected pattern of bits, and for

producing said control signal (control signal, col. 20 lines 1-10 and lines 50-60) in

response thereto.

Referring to claim 18, Hall et al. discloses the apparatus as defined by claim 11,

wherein said time division multiplexed frames are T1 (T1, col. 6 lines 29-35) frames.

Referring to claim 19, Hall et al. discloses the apparatus as defined by claim 12,

wherein said time division multiplexed frames are T1 (T1, col. 6 lines 29-35) frames.

Referring to claim 20, Hall et al. discloses the apparatus as defined by claim 13,

wherein said time division multiplexed frames are T1 (T1, col. 6 lines 29-35) frames.


## *Conclusion*

6.     **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

**or faxed to:**

(571) 273-8300, (for formal communications intended for entry)

7.     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jamal A. Fox whose telephone number is (571) 272-

3143. The examiner can normally be reached on Monday-Friday 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number

for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to 2600 Customer Service whose telephone number is

(571) 272-2600.

Jamal A. Fox

WELLINGTON CHIN
RVISORY PATENT EXAMIN